

In the United States Court of Federal Claims

Nos. 18-204C, 18-206C, 18-207C, 18-208C, 18-211C, 18-214C
(consolidated)

(Filed: February 13, 2018)

FMS INVESTMENT CORP., *et al.*,

Plaintiffs,

v.

THE UNITED STATES,

Defendant.

SCHEDULING ORDER

On February 13, 2018, the Court held an initial scheduling conference in the above-captioned consolidated bid protests. During the conference, counsel for the Government represented to the Court that the Department of Education has agreed to voluntarily stay its contract awards to Performant Recovery, Inc. and Windham Professionals, Inc. during the pendency of this bid protest, excluding appeal. As some of the Plaintiffs have moved for additional injunctive relief, the Court will hold a hearing on Plaintiffs' applications for TROs and PIs on Wednesday, February 21, 2018, at 9:30 AM EST in the National Courts Building, 717 Madison Pl. N.W., Washington, D.C. The Court notes that this proceeding will be held under seal.

Additionally, the Government is ordered to file core documents related to this bid protest, as explained during the scheduling conference, by 12:00 PM EST on Friday, February 16, 2018. Further, as discussed with counsel for the parties, the Court hereby adopts the following briefing schedule:

1. Defendant shall file the certified administrative record on or before Friday, March 9, 2018, providing a courtesy hard copy to the Court. The Government may file an electronic version of the administrative record using a CD.

2. Plaintiffs shall file their motions for judgment on the administrative record on or before Friday, March 23, 2018.
3. Defendant shall file its responses to Plaintiffs' motions for judgment on the administrative record and its cross-motion for judgment on the administrative record on or before Friday, April 6, 2018.
4. Plaintiffs may file replies in support of their motions for judgment on the administrative record and responses to the Defendant's cross-motion on or before Friday, April 13, 2018.
5. Defendant may file a reply in support of its cross-motion for judgment on the administrative record on or before Friday, April 20, 2018.

All prospective Defendant-Intervenors shall follow the Defendant's briefing schedule. Oral argument, if necessary, will be scheduled at a later time.

IT IS SO ORDERED.

s/ Thomas C. Wheeler
THOMAS C. WHEELER
Judge